

Labour Regulation and Platform Work in South Africa: Navigating the Digitalised Future of Work

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Abstract

There has been a significant change in the traditional job environment due to the explosive expansion of platform works in South Africa. Platform work provides people with convenience and flexibility in an increasingly digitalised economy; hence, it is an essential source of income. The research employed qualitative and doctrinal legal research techniques to establish how digitalisation influences labour relations in South Africa. The primary and secondary sources provided insight into the regulatory frameworks that govern employment relations in South Africa. Equally important, the article also depended on a detailed and comprehensive analysis of the CCMA cases, case law, governance frameworks and employment policy documents related to gig work disputes. The digital economy has greatly influenced the labour markets of South Africa, particularly regarding platform work. This has prompted the reassessment of the employment regulations and laws in South Africa. The emergence of remote employment, gig economy and platform work has significantly altered the nature of the labour force in the digital economy. Great concerns have been raised over employment legislation in the digital economy. The labour regulations are important in that they help regulate and set up minimum employee benefits and wage requirements, as well as regulate the provision of good working conditions for employees. Platform work has created new income stream opportunities. However, it also raises questions about working conditions, workers' rights, skills development and training, laws and regulations and the role of the government in protecting workers' rights. The emergence of digital platforms has revolutionised the workplace; digital platforms have brought opportunities and difficult policy and labour regulation challenges. There is an urgent need to revise the Labour Relations Act (1995) and the Basic Conditions of Employment Act (1997) to include provisions for non-standard and platform-based work. The Department of Employment and Labour should enhance monitoring and enforcement of the National Minimum Wage Act (2018), ensuring all workers, regardless of employment classification. The Department of Employment and Labour, platform operators, and worker representatives should engage in tripartite dialogue to foster a sustainable regulatory framework. The research significantly contributes to the growing body of literature on digital labour laws and platform work, offering valuable insights for academics, policymakers and practitioners navigating the complexities of the digital economy.

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I. Introduction

Platform work provides people with convenience in that it allows workers to log in and work on demand from various locations without needing to be physically present in a traditional office, as well as flexibility in the working hours and tasks to carry out (Davidov, 2021). Central to this discussion are Uber-related cases, which highlight the complexities surrounding the classification of platform workers as either independent contractors or employees (Eiser et al., 2021). Initially, the Commission for Conciliation, Mediation and Arbitration (CCMA) ruling was that Uber drivers were categorised as employees of Uber South Africa Technological Services (Pty) Ltd; hence, they were entitled to protection from the labour laws and regulations. Nevertheless, the Labour Court of South Africa seems to have overturned the decision, stating that these Uber drivers are categorised as independent contractors (CCMA, 2020). The ruling by the Labour Court set the legal precedent that reinforced that South African Uber were not employers and thus are not liable under the labour laws of the country (Eiser et al., 2021). The laws established in the Uber cases continue to influence labour regulations, sparking the ongoing discussion among policymakers about potential amendments aimed at safeguarding the interest of the platform workers while taking into consideration the unique nature of the digital economy models (Davidov, 2021; Piore, 2022). The article analysed the changing landscape of platform work in South Africa while emphasising the regulatory and potential concerns presented by this new industry.

Conceptualising Platform Work and the Digitalised Future of Work

Digital work refers to the transformation of a labour-intensive business environment into an automation-intensive business environment over time. Digital workers, also known as digital employees, are

software-based labour that can independently execute meaningful parts of complex, end-to-end processes using a range of skills (Bordi et al., 2018). A digital workplace is a virtualised form of the traditional, in-person office environment, where many elements of collaboration and productivity are performed through some combination of digital applications, cloud computing, and other technology (Wang et al., 2018). Platform work is a form of employment where online platforms connect organisations or individuals to solve specific problems or provide services in exchange for payment (Berg et al., 2018). It involves three parties: the client, the platform, and the worker. Although still small in scale, platform work has rapidly developed in the last decade (Graham et al., 2020).

The emergence of the digital work platform has permitted the real-time hiring of labour for a myriad of tasks, from information technology programming to graphic designing to routine clerical tasks (Benjamin, 2020a). The low cost, ease and flexibility of outsourcing work for digital platforms resulted in growth and this growth is expected to continue in the future (Benjamin, 2020; Zhou, 2024). Conversely, digital work platforms pose a significant impact on regulatory challenges, which cannot be addressed effectively through national responses due to the lack of universal regulations and cross-border operations. The operation of a digital platform requires international cooperation beyond national labour laws for effective regulation (Muehlberger, 2020). Recognising these difficulties, the ILO called for a detailed and comprehensive governance system that addresses the challenges and opportunities presented by the emergence of digital work platforms. The digital economy has greatly influenced the labour markets of South Africa, especially the platform work, which has led to the reassessment of employment laws and regulations.

The emergence of the digital work platform influenced the transformation of the global labour markets (Bhorat et al., 2021). It is worth considering that the emergence of the digital work platform led to the increase in concerns over the welfare of the workers as well as work-life balance, offering unparalleled flexibility in setting work hours as well as allowing the workday to be divided into segments (Manyika et al., 2022). The dawn of a digitalised future of work is making platform work increasingly common, with projections suggesting a 75% increase by 2030 (Bhorat et al., 2021). More crucially, a considerable part of the global workforce is expected to engage in non-traditional employment arrangements (Huws, 2020). Indeed, there are noticeable challenges and opportunities for governments, employees, and businesses, which are evident in platform work, the gig economy, and the need for updated labour regulations that support such innovation. On the other hand, platform work provides advantages, flexibility, and autonomy that foster innovation and entrepreneurship (ILO, 2021; Scholz, 2020).

Background on the Rise of Platform Work in South Africa

As South Africa experiences rapid socio-economic changes, its industries are embracing remote work techniques at an alarming rate due to the outbreak and spread of the COVID-19 pandemic, which served as an unanticipated trigger to the adoption of remote work by embracing technology (Bhorat et al., 2021). Remote work was previously limited to a few sectors of the industry and positions; remote work was traditionally seen as a benefit rather than a norm. The outbreak and spread of the pandemic led to the imposition of social distancing and lockdown measures hence for companies to keep on operating, they had to embrace remote work and digital tools techniques blending remote work and traditional office-based labour (Ayentimi et al., 2023; Zhou, 2024). Lower office space expenses, better life-work balance and a larger talent pool, have significantly contributed to the changes experienced in South Africa. Nevertheless, the widespread adoption is severely impeded or encumbered by the inadequate distribution of information communication technology infrastructure and population disparities in digital literacy (Moses, 2022).

Platform work in South Africa is growing at an unprecedented rate; in the year 2022, there were over five hundred thousand platform workers. This was a significant increase from the one hundred thousand in 2018 (ILO, 2021). The increase in the number of platform workers has been made necessary by the increase in demand for flexible and comfortable working arrangements and the spread of digital technology in South Africa (Manyika et al., 2022). It is worth noting that the high rates of unemployment and inequality also necessitated the emergence of the platform work. The official unemployment rate in 2022 was 34.4%, while the youth unemployment rate was estimated to be 74.7% (Stats.SA, 2022). With the advent and development of platform work came the opportunity to earn a living through platform employment, although in an unofficial and risky capacity (Bhorat et al., 2021).

Despite the expansion of the platform work and its advantages, there are concerns regarding how it might infringe on the rights and working conditions of platform workers. Due to platform workers being classified as independent contractors rather than employees, most of the platform workers are deemed eligible for employee entitlements and benefits according to current South African laws (Benjamin, 2020a). The Socio-Economic Rights Institute of South Africa research discovered that many platform workers in South Africa worked for long hours without receiving any form of compensation, as well as access to unemployment insurance as well as sick leave benefits (SERI, 2020). There is a need to maintain checks and balances on the country's laws and regulations regarding the rights of employees and the government as the platform work

emerges in South Africa. The government of South Africa is entitled to enact new laws and regulations that seek to safeguard the interest and welfare of platform workers; as such, the employers should ensure that their platform employees also receive benefits and other entitlements just like any other employee (Moses, 2022).

Importance of Labour Regulations in the Digital Economy

The emergence of remote employment, gig economy and platform work has significantly altered the nature of the labour force in the digital economy. Bhorat et al. (2021) articulated that excessive laws and regulations have a possibility of hindering innovation, hence leading to a reduced potential advantage for platform work. Platform work is experiencing a lack of skills development and training. Hence, some of the platform workers lack the adequate knowledge required to start their own business or even get good-paying jobs (Bhorat et al., 2021; Muehlberger, 2020). Research conducted by the Human Sciences Research Council in 2022 revealed that 70% of the platform workers in South Africa shared their concern that they did not have adequate skills and training, hence prompting the authorities to invest in training and skills development for these workers to increase their employability opportunities (HSRC, 2022).

The outbreak and spread of the COVID-19 pandemic accelerated the growth and development of platform work in South Africa; hence, remote work became more popular as industries embraced online platforms to do their work (ILO, 2021). The pandemic attracted the attention of all concerned stakeholders, leading to an assessment of the vulnerability of the platform workers who cannot frequently access social life in South Africa. This has resulted in the emergence of the gig economy, a new form of work and employment. The gig economy led to the establishment and growth of flexible and short-term working arrangements (Muehlberger, 2020; Prassl, 2022; SERI, 2020). Platform workers would have more flexibility and autonomy through such arrangements, but they can also result in increased insecurity and precarity for the platform workers. The growing need for convenient and flexible work arrangements, as well as the development and growth of digital technology, have accelerated the unprecedented and rapid growth of platform work in South Africa (Moses, 2022; OECD, 2020b; Piore, 2022).

Platform workers in South Africa have the chance to earn a good living, but there are many worries about the working conditions, workers' rights, skills development and training, laws and regulations and the role of the government in protecting the workers' rights. Great concerns have been raised over the employment legislation in the digital economy. Labour regulation provides a dignified treatment of the workers and promotes equitability and workers' rights (ILO, 2020, 2021). Research conducted by ILO (2021) revealed that the platform workers in South Africa worked for long hours without receiving any form of full compensation or entitlement to sick leave or unemployment insurance. Many platform workers are considered to be contract workers rather than full-time employees; hence, they are not eligible to receive the same benefits as full-time employees.

Nevertheless, labour regulations are there to ensure that there is an accurate classification of workers in the digital economy (Benjamin, 2020a; Davidov, 2020). The labour regulations are there to ensure that the workers are properly categorised and are receiving the protection as well as the benefits that are entitled to them. 60% of the platform workers articulated that they made more income than they would have made in a typical job; these workers also noted with concern that they do not have access to sick leave and unemployment insurance (Bhorat et al., 2021).

It is worth noting that labour regulations are there also to protect workers from any form of exploitation; hence, labour regulations play a crucial role in the digital economy. The advent of the digital economy has opened up new avenues for worker exploitation (SERI, 2020). The exploitation of the workers can be prevented through labour regulations that advocate for good working conditions and the provision of employee benefits and wages. The report by SERI (2020) articulated that most of the platform workers in South Africa have not been fairly treated as they are not receiving any form of employee benefits, just like regular employees. Conversely, labour regulations were established to ensure that all workers have access to social protection irrespective of their categorisation (Benjamin, 2020a). According to South African labour regulations, all employees should have access to social protection such as pensions, unemployment insurance and healthcare. Nevertheless, platform workers are failing to access these benefits; hence, there is growing concern about addressing the plight of platform workers so that they can also have access to social protection benefits (Moses, 2022).

Regardless of their employment terms, workers should have access to social protection under labour legislation. In South Africa, platform workers reported not having access to social protections, including unemployment insurance and healthcare, according to a survey conducted by the International Labour Organisation (ILO, 2021). Labour laws and regulations are there to ensure that all workers have adequate and equal access to skill development and training. Complementary to that, labour regulations encourage fair competition among employees (Berg, 2020; Bhorat et al., 2021). New obstacles and possibilities for employees to have access to training and skills development were brought about by the advent of the digital economy. Meeting the requirements of the labour regulations benefits the workers through sound training and development systems irrespective of their job position (Human Sciences Research Council (HSRC), 2022). With

more than 70% of the platform workers calling for access to adequate training and skills development, observations revealed that there is a need for companies in South Africa to meet labour regulations.

Labour regulations facilitate fair competition among employees and businesses in the digital economy. Manyika et al. (2022) articulated that the digital economy has since presented businesses and employees with new ideas that enable them to compete with each other. Nevertheless, the digital economy has exposed employees and the business community to new challenges, such as lack of social protection, wage disparities, job insecurity and workers' misclassification. It is worth considering that platform work is usually associated with a lack of social protection, insecurity and precariousness (ETUI, 2022); hence, it is important to conceptualise platform work as a distinct form of employment which requires social justice, ensures decent work, skills training programs, social protection mechanisms and innovative regulatory approaches in the digital economy (ETUI, 2022). For that reason, there is a need for detailed and comprehensive insight into the complexities surrounding the platform work and its implications for future work.

The labour regulations are important in that they help regulate and set up minimum employee benefits and wage requirements, as well as regulate the provision of good working conditions for employees. According to the McKinsey Global Institute, businesses that treat employees with dignity and fairness have higher chances of long-term success (Berg, 2020; Manyika et al., 2022; Piore, 2022). Labour legislation is important as it guarantees the protection of workers' rights in the digital economy. The correct classification of the worker, provision of social assistance, protection from all forms of exploitation, and provision of training and skills development can be made possible by labour legislation in the digital economy (Berg, 2020; Davidov, 2020). The platform work in South Africa is governed by the Labour Relations Act of 1995 as well as the Basic Conditions of Employment Act of 1997. The two acts regulated traditional employment; nevertheless, the gig workers do not have access to benefits such as unemployment insurance and paid leave since they are classified as independent contractors (Fairwork, 2021). The National Minimum Wage Act of 2018 is applicable to some of the platform work. However, enforcement of the Act remains difficult (Ayentimi et al., 2023; Benjamin, 2020). The transformation of the labour markets influenced by digital platforms has led to the rise of legal debates on the need for updating the laws and regulations so that the interest and welfare of the gig workers are protected and there is a flexible labour market (Moses, 2022; Piore, 2020).

Research Aims

The aim of the research is to:

- Examine how platform work influences South Africa's employment market.
- Examine legal structures regulating the platform work in South Africa.
- Examine the experiences and viewpoints of the platform workers in South Africa.
- Establish the practices that are best suited for the platform work regulations in South Africa.

Key Research Questions

- How does platform work influence South Africa's employment market?
- What is the legal structure regulating the platform work in South Africa?
- What are the experiences and viewpoints of the platform workers in South Africa?
- What are the practices that are best suited for the platform work regulations in South Africa?

II. Research Methodology

The growth and development of platform work in South Africa has surpassed the establishment of a legislative framework, which left employees and employers in doubt of their rights and responsibilities. A qualitative and doctrinal legal research approach would be most suitable, as the study focuses on labour law, policy analysis, and the impact of digitalisation on employment relations (Braun & Clarke, 2020; Hsieh & Shannon, 2005). The article analysed South African labour laws, policies and international regulatory frameworks to determine how platform work fits into the current legal system. Complementary to that, the research looked at worldwide regulatory frameworks and labour laws and regulations in South Africa to grasp the difficulties and potentials associated with platform work (Braun & Clarke, 2020). Equally important, the article also employed document analysis where primary and secondary sources were also reviewed; the article reviewed the South Africa labour legislations such as the Labour Relations Act (1995), the Basic Conditions of Employment Act of (1997), Compensation for Occupational Injuries and Diseases Act (1993), the Unemployment Insurance Fund Act (2001), Policy documents, as well as academic literature and reports on platform work and digital labour (Benjamin, 2020; Fairwork, 2021; Saunders, 2020).

Theoretical Framework

The article combines three theoretical frameworks, namely the Precarious Work Theory, Protective Labour Law Theory and the Regulatory Theory. The Precarious Work Theory propounded by Guy Standing in

2011 suggests that gig workers belong to a new class of precarious labour (the “precariat”), The Precarious Work Theory propounded by Guy Standing in 2011 suggests that gig workers belong to a new class of precarious labour (the “precariat”), lacking security such as unemployment benefits, healthcare, fair wages, legal protection and job stability as well as social benefits such as workplace injury compensation, paid wages and job stability (Benjamin, 2020b; Standing, 2011). Equally important, the Protective Labour Law Theory advocates for legal intervention to protect vulnerable workers, including those in precarious digital jobs. Complementary to that, the Protective Labour Law Theory supports reforms to extend social protections to gig workers (Berg et al., 2020). Another essential point is that the Regulatory Theory examines the role of the state in balancing labour market flexibility with workers' protections, relevant to South Africa's need to regulate platform work (De-Stefano, 2020; Katz & Krueger, 2020).

The Regulatory Framework Governing Labour and Platform Work in South Africa

The regulatory framework governing labour and platform work in South Africa is evolving and is complex. The primary legislation governing employment relations in South Africa is the Basic Conditions Employment Act of 1997 and the Labour Relations Act of 1995 (Benjamin, 2020b). The Basic Conditions Employment Act of 1997 and the Labour Relations Act of 1995 were passed law years before the emergence of platform work; hence, these laws fail to provide explicit guidance on platform workers' regulations in this era with its recent developments and the growth seen (Muehlberger, 2020). Another legislation relevant to the phenomenon is the National Minimum Wage Act of 2018; this Act was set up to improve the wages of the lowest-paid workers, protect the workers from unreasonable low wages, preserve the value of the national minimum wage, promote collective bargaining and support economic policy. The Act includes guidance for minimum wages for those in the standard and non-standard forms of employment. Conversely, the application of the Act to the platform work is questionable and remains unclear (Benjamin, 2020b; De-Stefano, 2020). The Department of Employment and Labour in South Africa oversees the implementation of labour laws and regulations, particularly concerning the need for legislative reform in platform work. The Department of Employment and Labour in South Africa advocates for compliance with the National Minimum Wage Act of 2018 minimum employment standards by the platforms (Muehlberger, 2020).

Platform work in South Africa remains incomplete and fragmented despite these efforts and the regulatory framework governing the platform work. Traditionally, there is a lack of clarity on the status of employment for the platform workers; hence, this scenario has created ambiguity and uncertainty, which is posing a challenge to the workers to defend their rights as well as for platforms to embrace labour laws and regulations (Benjamin, 2020a; Bhorat et al., 2021). The Unemployment Insurance Fund of 2001 and the Compensation for Occupational Injuries and Diseases Act of 1993 add to labour regulations in South Africa. Still, the above-mentioned regulations fail to provide guidance and cover for the welfare and just working conditions of the platform workers (Moses, 2022). Policymakers and lawmakers should consider the above-mentioned legislation, reforming current regulations and establishing new regulations that address the concerns and experiences of platform workers in South Africa (Manyika et al., 2022).

Challenges in Regulating Platform Work in South Africa

Regulating platform work is associated with several challenges and complexities as a result of the classification of platform workers as independent contractors. The “Regulation of Platform Based Work” report by the International Labour Organisation provided insight and a nuanced understanding of the challenges and opportunities likely to be experienced when regulating platform work, primarily focusing on the protection of workers as well as sustainable economic growth (ILO, 2021). The platform connects clients and workers for freelance projects, delivery, and ride-hailing, offering creativity, innovation, and flexibility. The challenges of regulating platform work lie in trying to foster a digital platform economy while safeguarding the rights of the workers (Manyika et al., 2022). The current regulations do not cater for the digital work platform as well as the platform workers' concerns, such as platform workers' welfare, platform workers' rights, minimum wages and unemployment insurance for the platform workers (Davidov, 2021; Moses, 2022). Digital platforms in South Africa experience worker classification disputes, evolving labour laws and regulatory compliance challenges, requiring a constant adaption to business sustainability, economic growth and balanced worker protections. This encourages policymakers and lawmakers to establish tailored approaches that take into consideration the local realities and promote fairness without stifling innovation.

The Impact of Digitisation on Labour Law and Employment Relations

The emergence of the digital work platform has significantly impacted the existing relationship between labour laws and employment. Complex questions such as how to ensure fair wages, provide social protection, classify platform workers and enforce labour rights have been raised regarding regulating platform work; conversely, the regulation of the platform work classification of workers and protection of the rights of workers (Huws, 2020). Digitalisation and digital work platforms have emerged as major driving forces that

influence the establishment of new forms of employment that surpass traditional employment boundaries (Muehlberger, 2020). The digital work platforms led to a lot of complexities and challenges, such as job insecurity, lack of social protection, workers' classification disputes and regulatory gaps in South Africa that negatively impacted labour law and employment relations. Digitalisation has created an enabling environment that has led to the rise of remote working (Euro-Found, 2020; Freedland, 2020). A refined and comprehensive approach is necessary to strike a balance between employment relations, labour laws, innovation and flexibility (Bhorat et al., 2021; Davidov, 2021).

Policy and Legal Recommendations

Policymakers and lawmakers should formulate clearly defined regulatory frameworks that can be used to govern the platform. The framework should take into consideration the universal classification of the workers, provision of social protection and employee benefits irrespective of the nature of employment of these workers (OECD, 2020a). Calls have been made to reform or amend the current labour laws and regulations to accommodate the platform worker in South Africa. Besides amending the current labour laws and regulations, policymakers and lawmakers should formulate new laws and regulations that seek to accommodate platform workers. There is a need to formulate platform work and gig economy-specific laws to address pressing issues associated with the emergence of digitalisation and digital platform work (Bhorat et al., 2021). Educational and training programmes are also important in addressing the concerns of the platform workers; hence, policymakers and lawmakers should invest in educational and training programmes for the platform workers in preparation for the future of work (OECD, 2020a). The policymakers and lawmakers should take a comprehensive and proactive approach in dealing with pressing issues on the establishment of regulations governing the platform work to ensure that all the workers are able to deal with the opportunities and challenges posed by the digitalisation and the future of work.

Conceptualisation of Platform Work

Platform work is a non-standard work that is facilitated by online platforms using digital technologies to intermediate between buyers of labour and individual suppliers (platform workers) (Benjamin, 2020a). The platform work is facilitated by commercial digital platforms, which are crucial components in the digital transformation of labour and the broader working environment (Funke & Picot, 2021). Different types of platform work result in different effects on the employment and working conditions of platform workers (Richardson, 2024).

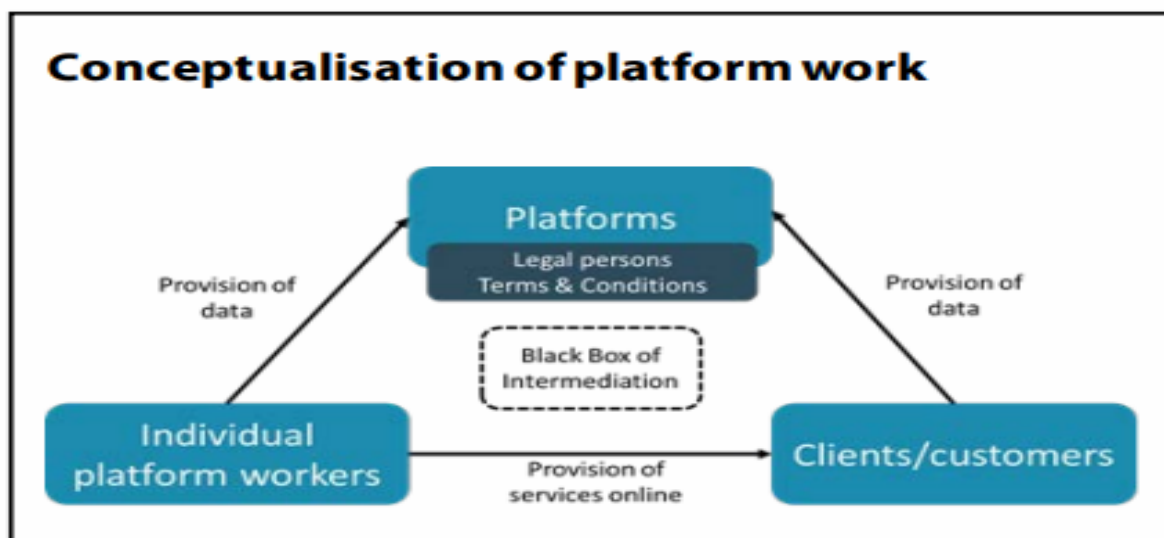


Figure 1 Conceptualisation of Platform Work

Source: (Richardson, 2024).

Regulatory Framework Safeguarding Platform Worker Rights in Other Countries

In France, legislation pertaining to platform workers acknowledges the entitlement of independent workers to engage in collective bargaining (Menegatti, 2024). Contrary to safeguarding platform workers' rights, Germany has adopted a markedly different approach concerning Uber's operations within its borders. The government took a firm stance in upholding existing regulations by limiting the company's operations within the country (Thelen, 2018). Generally, acts, policies, and legal frameworks primarily address standard work

arrangements, leaving gig workers and their unique situations largely unregulated. As noted by Shevchuk and Strebkov (2023), freelance and platform work in the Russian Federation, as with many other countries, often falls outside the purview of labour law.

This practice highlights the urgent need for policy reforms that focus on skill development, health and safety, and the protection of gig workers (Wang & Cooke, 2021; Wei & MacDonald, 2022). Moreover, existing acts and policies could be refined to support the gig workforce, and the specific provisions within them can be modified to reflect the current challenges faced by gig workers (Aigbe et al., 2025). Therefore, Germany and Russia stand out as exceptions in the sample concerning the regulatory framework that safeguards the rights of platform workers. In the US, although there are differences among various cities and states, the predominant reaction to Uber has been to largely deregulate local transportation markets, as city and, in certain instances, state governments have primarily modified their regulatory systems to integrate Uber (Thelen, 2018). Distinct differences emerge when comparing the social security contributions of platform workers in Colombia and Mexico (Bensusán & Santos, 2021). In Colombia, costs are shared equally between platform companies and workers, promoting collaboration for the mutual benefit of both parties. On the other hand, Mexico classifies platform workers as subordinate employees, which entails contributions from employers, employees, and the government. However, this classification in Mexico lacks clear criteria, resulting in significant legal ambiguity (Bensusán & Santos, 2021).

In contrast, Colombia offers specific guidelines for an intermediate employment category for platform workers, which enhances clarity and safeguards their rights (Bensusán & Santos, 2021). This comparison enlightens the distinct strategies and challenges that platform workers face in different countries. In February 2024, the Australian Government implemented transformative legislation establishing comprehensive minimum standards for gig economy workers and owner-drivers within the transport sector (Underhill & Quinlan, 2024). The new regulations are expected to draft critical entitlements such as guaranteed minimum wage benchmarks, mandatory rest periods, and enhanced safety protocols. This legislation guarantees fair compensation and cultivates a more stable and equitable working environment for those who play a critical role in the economy through flexible employment arrangements. This initiative positions Australia as a frontrunner in protecting gig workers, potentially serving as a model for future regulatory frameworks in the changing labour environment.

In 2019, the Zambian government introduced Statutory Instrument No. 72, expanding social security to individuals in the informal economy, including self-employed workers. This legislation aimed to include previously uncovered groups in social security systems (Miti et al., 2023). In response, Zambia's National Pension Scheme Authority developed a benefits package for informal economy workers and implemented it among small-scale dairy farmers in various provinces. This public policy resulted from a collaboration between Zambia's National Pension Scheme Authority, the International Labour Organisation, and the Finnish Institute for Health and Welfare (Miti et al., 2023).

Digitalised Future of Work

The Global Commission report on the Future of Work indicates that platform work is susceptible to growth (Davidov, 2021; Moses, 2022). This trend suggests that countries need to proactively prepare for the implications of this development, considering factors such as labour laws and workers' protections and adapting existing employment frameworks to accommodate the growing gig economy (Davidov, 2021; Funke & Picot, 2021). The European Union initiated a cooperation plan to boost economic programmes in Africa, America, and Asia, assisting developing nations in establishing ingenious information and communication technology strategies and policies (Euphorianet, 2020). This initiative is crucial in defining a digitalised future of work, as it promotes the use of advanced technologies and ingenious methods that have the potential to increase productivity and generate new job opportunities in these areas (Euphorianet, 2020).

In Argentina, significant shifts in public policy promote the integration of small and medium-sized enterprises into a rapidly transforming production sphere driven by the Fourth Industrial Revolution digital technologies (Morales et al., 2024). This initiative signifies a proactive approach to modernise the economy and equip these businesses with the necessary tools to thrive in an increasingly digital and automated environment. This move towards a digitally driven economy promises to reshape the Argentine labour market. According to Singh and Alhabbas (2024), Saudi Arabia is positioning itself as an attractive destination for investors seeking to drive digital transformation within its enterprises. These authors claim that the Saudi Vision 2030 initiative outlines a strategy that integrates the principles of Industry 4.0 and 5.0 to transform the local workforce into globally competitive talent.

This endeavour emphasises adopting digitalisation and artificial intelligence-driven technologies, employing Industry 4.0 practices alongside a human-centric approach inspired by Industry 5.0 (Singh and Alhabbas, 2024). This shift represents a proactive move towards a digitally advanced future of work, highlighting the significance of invention and adaptability in the continuously changing labour market. Regarding successful implementations of digitalisation in the public sector, South Korea emerges as a prime example. It pioneered a rapid and effective e-government model that garnered international recognition. This bar

is exemplified and bolstered by its leading position in the Digital Government Index, where it ranks first out of twenty-nine Organisation for Economic Cooperation and Development countries, a testament to the nation's commitment to modernising public services through digital creation (Arifianti and Sakapurnama, 2024).

The South Korean experience is a crucial indicator of the future of work in a digitalised environment, particularly in terms of efficiency, accessibility, and responsiveness in public service. This example highlights the essence of continuous investment in technology and infrastructure to prepare for an increasingly digital and interconnected world. Wibowo et al. (2025) assert that the digital industry in Indonesia is forecasted and projected to grow significantly, increasing from \$77 billion in 2022 to an estimated \$130 billion by 2025. This growth is heavily fuelled and accelerated by key sectors, including e-commerce and online transportation. As this transformation unfolds, it is expected to generate new job opportunities, particularly in the Information, Communication and Technology (ICT) field, which is becoming critical in the digital economy (Wibowo et al., 2025). This assertion indicates that digitalisation influences the future of work, necessitating new skills and adaptability in the workforce.

The African continent is currently engaged in initiatives to optimise using technology to enable productive projects across key sectors of its economies, including the public sector. In this context, the European Union (EU) and the governments of Russia and China actively promoted cooperation and development policies targeted at vulnerable sectors within Africa (Larrotta-Alferez et al., 2021). These policies often involve integrating ICT to enhance various areas, including agriculture, climate change adaptation, education, financial services, governmental services, and healthcare (Larrotta-Alferez et al., 2021). This emphasis on technology and cooperation suggests a transformative digital future for work in Africa, where enhancing skills and access to digital tools could significantly impact economic growth and job creation; according to Mazenda et al. (2024), the Unemployment Insurance Fund in South Africa launched a zero-rated mobile application with a free USSD platform. These tools offer clients easy and convenient access to UIF services anytime.

This initiative alleviates the lengthy queues often found at labour centres. The APP empowers UIF clients to utilise services from anywhere, free of charge (Mazenda et al., 2024). This development highlights a significant step towards a digitalised future of work, emphasising the implication of accessible technology in improving service delivery and enhancing the client experience. The advent of technological innovations in modern agriculture, particularly within Ivory Coast's cocoa industry, signifies a transformative shift that has the potential to reshape agricultural practices significantly. This advancement promises to benefit individual farmers and seeks to strengthen the regional economy (Pereira, 2024). This shift suggests a future of work that is becoming increasingly digital, necessitating the development of current and new skills to employ these technological advancements efficiently. Given the perspectives outlined, it is evident that in a digitally-driven future of work, rapid technological advancements are reshaping the global economy. This measure implies that the role and rights of platform workers are becoming increasingly significant. Thus, it is crucial to ascertain how these workers fit into the broader economic framework.

III. Recommendations and Conclusion

There is an urgent need to revise the Labour Relations Act (1995) and the Basic Conditions of Employment Act (1997) to include provisions for non-standard and platform-based work, specifically clarifying the employment status of platform workers to ensure adequate legal protection (Mutengwe & Mazenda, 2024). To ensure fair compensation for platform workers, the Department of Employment and Labour should enhance monitoring and enforcement of the National Minimum Wage Act (2018), ensuring all workers, regardless of employment classification, receive at least the minimum wage (Wills & Gottfried, 2020). To address the evolving nature of work in South Africa, amendments to the Unemployment Insurance Act (2001) and the Compensation for Occupational Injuries Act (1993) are necessary to include platform workers, ensuring they access unemployment benefits, medical coverage, and retirement contributions (Wills & Gottfried, 2020). Enforcing the National Minimum Wage Act (2018) and strengthening regulatory oversight will ensure fair compensation. Additionally, digital platforms should disclose their algorithmic systems, clarify payment structures, and adopt fair rating and deactivation policies to promote transparency and empower workers (Eiser et al., 2021). To foster a sustainable regulatory framework, the Department of Employment and Labour, platform operators, and worker representatives should engage in multilateral dialogue. This collaboration will help create a balanced and informed regulatory framework that promotes innovation while upholding decent work standards (Akinboade, 2020). South Africa should also adopt a tailored regulatory approach, inspired by international best practices yet aligned with local needs, to protect workers' rights and support digital platform growth through research, pilot programs, and consultations (Mutengwe & Mazenda, 2024; Roberts, 2021).

The Fourth Industrial Revolution (4IR) and its associated technologies are key in stimulating economic development and aligning with the G20 objectives. However, the realities for platform workers diverge significantly across different nations. While some countries are actively developing regulatory frameworks to mitigate the challenges faced by these workers, others have yet to make substantial progress, resulting in a pronounced disparity in protections and benefits. In light of the inevitability of technological integration in a

progressively digitalised economy, it is imperative for countries that have yet to initiate reforms to start devising impactful strategies. Meanwhile, those who have taken steps in this direction must refine and optimise their frameworks to ensure effectiveness. Working together by anchoring the unique strengths and addressing the weaknesses of different nations can lead to substantial improvements for platform workers. However, it is crucial to approach this initiative with an understanding that solutions cannot simply be transplanted and implemented from one context to another; each country has unique dynamics, resources, and socio-economic conditions that influence its approach to regulation. While the pace of change may vary, it is critical to prioritise the establishment of regulatory frameworks that effectively incorporate platform workers into the broader economy. Immediate action is paramount to ensure that this workforce is adequately supported and safeguarded in the digitalised economy and future of work.

Table 1: Types of Platform Work

TYPE	EXAMPLES
The first category includes architects, technologists, highly skilled employees, and independent contractors (Vallas & Schor, 2020)	According to De-Stefano (2020), national courts frequently reference work flexibility to categorise platform workers as independent contractors. In Brazil, the <i>Superior Tribunal de Justiça</i> and the <i>Tribunal Superior do Trabalho</i> ruled that the Uber drivers' flexible work schedules do not justify their reclassification as employees. The <i>labour tribunal</i> in Turin, Italy, dismissed claims from some food-delivery riders seeking reclassification, citing the flexibility they have with their work schedules. The United Kingdom law categorises workers into three groups: 'employees' with employment contracts, 'limb' workers or dependent contractors enjoying certain employment rights, and self-employed independent contractors not covered by employment law. The term 'limb' derives from various legal definitions, notably <i>Section 230 of the Employment Rights Act 1996</i> (Bertolini & Dukes, 2021). According to Lam and Triandafyllidou (2024), highly skilled migrants in Canada primarily enter through a points-based immigration system that rewards education and professional skills; however, key barriers faced by these migrants at three levels: macro (immigration and professional status), meso (education, ethnic networks, and social circumstances), and micro (individual emotional, cognitive factors, and personal circumstances at the time of migration and platform work engagement).
A second type of platform work encompasses cloud-based consultants and freelancers who provide professional services through platforms like Up-Work or Freelancer; unlike architects and technologists, these workers are users of the platforms rather than creators (Vallas & Schor, 2020)	Promoting <i>fukugyo</i> , a side job under the Work Style Reform (WSR), as a solution to employment insecurity and gender inequality is fundamentally inadequate in Japan (Hamada, 2024). Key issues contributing to its ineffectiveness include insufficient legal protections and social welfare benefits for specific <i>fukugyo</i> workers, such as independent contractors, freelancers, and the self-employed (Hamada, 2024). Research revealed that a significant 75% of international migrant workers in South Africa depend on platform-based employment as their primary source of income; however, securing initial contracts on platforms like Up-work is challenging, with participants often spending weeks or even months on unsuccessful bidding processes (Anwar & Graham, 2021).
A third category encompasses gig workers who provide services through digital platforms, primarily in offline settings, such as ride-hailing, food delivery, home repair, and caregiving. A key feature of this model is the flexibility and autonomy it provides workers, which is often emphasised in marketing by the companies involved (Vallas & Schor, 2020)	In China's ride-hailing sector, Didi stands out as the dominant player with its open employment model and reliance on migrant drivers, characteristic of gig economy work designed and implemented to offer drivers greater flexibility and control over their schedules and increased bargaining power with the platform (Zhou, 2024). For ride-hailing service platforms, evidence supports the classification of drivers as employees in all six countries where legal precedents have been established and implemented (Hiessl, 2021). This practice is especially notable in the UK, where courts have consistently favoured granting worker status to Uber drivers across all four cases, ranging from the <i>Employment Tribunal (ET)</i> to the <i>Supreme Court</i> (Hiessl, 2021). In other countries, rulings have similarly designated Uber and Cabify employers; Switzerland has seen two administrative and three court decisions, though definitive final-instance jurisprudence is still pending, while the Netherlands has recorded one court ruling, and Spain has issued two administrative rulings in support of this classification.
The fourth category of platform work involves online micro-tasking, as seen on platforms like Amazon Mechanical Turk and Figure Eight. Workers perform human intelligence tasks essential for machine learning and generally require less specialised training than roles filled by cloud-based consultants and freelancers (Vallas & Schor, 2020)	In remote gig work, freelancers and employers typically engage in short-term projects through various digital platforms like Amazon Mechanical Turk (MTurk), Fiverr, Freelancer.com, and Upwork (Çiğdem, 2022). Cloud labour platforms mobilise large pools of workers to generate data commodities. This data production frequently feeds into an extended value chain that serves as the foundational input for artificial intelligence systems and other automated technologies, particularly in contexts such as microwork, as well as in business process outsourcing scenarios (Howson et al., 2023)
A final category of platform workers exists in the periphery of social media, specifically content creators and influencers, who engage in unpaid aspirational labour (Duffy, 2017). This type of work is motivated by the desire for visibility in the attention economy, aiming to secure a	Income instability can arise from the common designation of platform workers as independent contractors, who are compensated solely for the specific tasks they complete and typically lack access to a legally mandated or collectively negotiated minimum wage (Gundert & Leschke, 2024). Experiences of unpaid labour time are most prevalent on taker platforms, but wage theft resulting from rejections is also a significant issue on freelance platforms (Howson et al., 2023). Instagram is influencing the economic landscape in Nairobi, with many users primarily consuming content rather than creating it. Despite significant effort, many content producers struggle to monetise their work, leading to economic challenges for artists and influencers (Njathi, 2023). The lack of accessible revenue streams jeopardises their livelihoods and

steady income (Marwick, 2013). It parallels Neff's concept of venture labour, as these workers accept precarious positions influenced by their visions of a desirable future (Vallas & Schor, 2020)	threatens the diversity of the creative community. This issue may drive talented platform workers individuals to abandon their passions for a more stable income, negatively impacting cultural growth and innovation.
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Table 2: Platform Workers' Challenges

CHALLENGES	PROPOSED SOLUTIONS
JOB INSECURITY	
Japan shifted from direct control over workers to a newer form of oversight due to increased competition and precarious employment. This modification leads to lower wages, job insecurity, and the emergence of replaceable workers, such as zero-hour contractors (Shibata, 2019). Gig workers in Africa generally experience lower job insecurity on Upward platforms than in conventional local jobs; nevertheless, gig work carries immanent risks and uncertainties due to various insecurities (Anwar & Graham, 2021)	Promoting new employment models for platform workers that ensure greater job security can be advantageous. These models should prioritise providing stable incomes and predictable schedules, which are often absent in gig work environments. Additionally, there is a chance for governments to implement legislation that guarantees fair working conditions, including job security for gig workers, akin to the laws that govern traditional employment (Ayentimi et al., 2023). Inclusive and sound labour legislation is necessary to offer protection and social security for those engaged in the diverse work arrangements emerging from the Fourth Industrial Revolution. Investing in technology is crucial for securing job opportunities for gig workers. According to Fairwork (2021), South Africa is making strides in the gig economy owing to its vigorous internet infrastructure and a regulatory framework that encourages invention, creating a welcoming environment for gig work (Thakur et al., 2022).
INCOME INSTABILITY	
Recently, there has been a notable surge in attention surrounding delivery workers within Turkey's platform economy, particularly following significant mobilisations regarding their payment conditions (Aydoğan, 2024). This shift highlights the growing awareness of the challenges these workers face, who often steer precarious employment situations with unstable incomes. Platform workers' drawbacks in Europe and America encompass income instability and insufficient access to benefits such as health insurance and retirement plans (Chernykh, 2021). Platform employment is a new issue in South Africa that requires legislative attention. There are significant concerns regarding the platform workers' quality of work, as studies reveal that many do not offer minimum wage or decent working conditions (Sergeeva et al., 2024). Online sex work platforms have gained popularity as an appealing mode for individuals to generate income; however, they frequently lead to unpaid labour for those who use them for work (Palatchie et al., 2025).	Countries that have not yet established regulatory frameworks should develop comprehensive legislation, while those that have developed frameworks should enhance them to ensure equitable wage structures to address the challenges faced by platform workers effectively. This measure can be achieved by instituting clear minimum wage standards that accurately reflect the regional cost of living to guarantee fair compensation for workers. This measure can be achieved by instituting clear minimum wage standards that accurately reflect the regional cost of living to guarantee fair compensation for workers. Recent legal challenges and advocacy efforts in the Global North have catalysed significant reforms. For instance, New York has seen the implementation of minimum wage agreements for ride-hailing services, which marks a progressive step in regulating gig economy compensation. Additionally, California's recent legislative measures have resulted in the reclassification of certain gig workers as employees rather than independent contractors, further illustrating the changing domain of labour rights for platform workers. The Fairwork Project developed the Code of Good Practice for the Regulation of Platform Work in South Africa to grant platform workers five essential rights: minimum wage; safeguards under the Occupational Health and Safety Act 85 of 1993; written agreements detailing their working conditions; equitable management; and the right to organise (Eiser et al., 2021; Fairwork, 2021).
BENEFITS DEPRIVATION	
In India, the gig economy provides no benefits like health care and social security to its workers. There is a notable absence of legal mandates compelling digital gig platforms to extend welfare or social security protections to gig workers in Kenya, Ethiopia, and Tanzania (Ayentimi et al., 2023; Pande, 2024)	Establishing baseline requirements for essential benefits, such as health insurance, paid leave, retirement contributions, and unemployment insurance funds, inter alia, can substantially enhance financial security and platform workers' well-being. (Heeks et al., 2021)highlight that worker associations and trade unions have played a critical role in advocating for improved remuneration and working conditions for gig workers. Collaborative dialogues between these organisations and platform operators in Europe yielded sectoral agreements that address key issues, including minimum wage standards, sick leave provisions, and insurance coverage for gig workers (Moore & Joyce, 2020). The Unemployment Insurance Fund (UIF) Strategic Plan for 2020-2025 in South Africa clearly outlines its alignment with key national initiatives, including the National Development Plan (NDP), the Five-Year Implementation Plan of the NDP, and the Medium-Term Strategic Framework (MTSF). A significant goal of the Fund is to develop a White Paper on Social Insurance to provide coverage for marginalised workers currently falling outside the scope of existing unemployment insurance legislation. This initiative will target self-employed individuals, the informal sector workforce, platform workers, consultants, artists, and entertainers(UIF, 2020-2025).

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